

EXHIBIT S

Confidential - Subject to Stipulation and Order of Confidentiality

1 - - -
2 : SUPERIOR COURT OF
3 : NEW JERSEY
4 IN RE: : LAW DIVISION -
PELVIC MESH/GYNECARE : ATLANTIC COUNTY
5 LITIGATION :
6 : MASTER CASE 6341-10
7 :
8 : CASE NO. 291 CT

9 CONFIDENTIAL-SUBJECT TO STIPULATION AND ORDER OF
10 CONFIDENTIALITY

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12 Thursday, May 24, 2012

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14 Transcript of the deposition of MARTIN
15 WEISBERG, M.D., called for Videotaped Examination in
16 the above-captioned matter, said deposition taken
17 pursuant to Superior Court Rules of Practice and
18 Procedure by and before Kimberly A. Overwise, a
19 Certified Realtime Reporter, Registered Professional
20 Reporter, Certified Court Reporter, and Notary
21 Public, at Riker Danzig Scherer Hyland Perretti,
22 LLP, 40 West State Street, Trenton, New Jersey, on
23 the above date, beginning at 10:50 a.m.

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1 Q And you were aware of those issues when
2 you prepared the clinical expert report for
3 Gynemesh® and as you worked on the Prolift® project;
4 correct?

5 A Yes. This is confusing to me because it's
6 Prolene® -- I don't know whether they're talking
7 about Prolene® mesh and Gynemesh® or just Prolene®
8 Gynemesh®. Let me look at that.

9 See, I -- at this -- today I don't
10 understand whether that includes both of them or
11 whether it's particularly the Gynemesh® they're
12 talking about. I would have expected it to say
13 Prolene® Soft/Gynemesh®.

14 Q Assuming this refers to Gynemesh® --

15 A Okay.

16 Q Well, actually, look just above --
17 rephrase.

18 Just above 1.2 it says, talking about
19 surgeons: "Those who had used Prolene mesh or
20 Gynemesh mentioned the following disadvantages and
21 advantages."

22 See that?

23 A I see that.

24 Q So the way she's writing this, according
25 to that sentence, is these disadvantages applied to

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1 both?

2 A I don't know that. It could be they
3 applied to one or the other and she listed them
4 together. I just don't know.

5 Q Were you aware of a concern that when
6 Gynemesh® would be cut, it would release particles?

7 A I had heard that as a concern by doctors.
8 It's certainly not a concern -- it was not a concern
9 to me.

10 Q And why were you not concerned about the
11 release of particles when Gynemesh® would be cut?

12 A Gynemesh® is a biocompatible material.
13 Those little pieces, tiny pieces, that get released
14 were very small and would become encapsulated and
15 not be expected to cause any further problems.

16 Q Were you personally aware of the fact that
17 in some patients who had the Prolift® put in their
18 body, that the mesh material would elicit a severe,
19 not mild but severe and chronic inflammatory
20 reaction?

21 A That would not --

22 MR. BROWN: Objection.

23 THE WITNESS: That was something that
24 I wouldn't expect.

25